

87 13-97

G. R. S. IX-5]

Previous references.

(1894-95)

191 .

(L. R)

File No. 85-94

Serial Nos. 1-13.

Later references.



GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1-13

In Part B for March 1901

SUBJECT.

regarding
Appeal of Subramanyaswami, ~~praying for the restoration of~~ ^{lotteries}
of the village of Gopinadapur, Melamangala Taluk
~~resumed by Government 10 or 11 years ago -~~

*Commenced
mkt.*

*Indexed.
1/2*

Dakshina Muni Sastri
and Guruswami Sastri
in exchange for the land
situated in other places, and
later subsequently Gura-
swami Sastri ~~to~~ transferred
his half share of
Dakshina Muni Sastri,
who then came to be
in possession of the
whole village -

In Dakshinapaya
1879-80

the price of the village
(~~including the~~) was
raised from Rs 30 to
Rs 72-14. The payment
of the amount was
demanded from Dakshina
Muni Sastri, who was
employed as a sub-
inspector of schools.
Dakshina Muni Sastri
presented a statement
to the Director of Police



Enam on 2nd Oct
80 (Enam Suppl
sheet no 295- dated
Oct 80 to the Dy
Snr, Bangalore)

led to 2 Councillor
(3)

Rebr is the son
of the late Mr. Bhatte
The latter died in
middle of 1878, leaving
3 sons aged 10 and 6
respectively (Kalamangala
Jd's report no 267 dated
8-1880). It is known that
he is the successor for the family land.

The first time
Rebr applied for the
revenue of the village
on 29-5-94.

The Commission of
2-14-94 was sanctioned
Govt No 6797 26-4-82
40

Send them papers
back to the Dy. Snr
He must be asked
to hold a proper
enquiry which shd
be directed to elicit
among others the
following pts.

1. Does the Sdr alone
represent in his own
right the full title
to the half mortgaged
share or is there
any other? If there
is what has he to
say & does he want
to have the village
restored? What are
the representations
of the other parties?
2. What is the date
of mortgage
and the money which has
been paid & under it
3. Why did not Dakshin
na Murthi Sastri & Co
produce the fact of mortgage
what has he to say
to the claim now set
up by the Sdr?
4. What will be the
amount of the
full liability of the Sdr
in the event of his claim
being recognised, including
that arising from the
mortgage debt, & the
dues which, but for

no amount has been received

2
The revenue
of the village
has been
restored
2/12/95
Dy. Snr
22/3/95

Instruction, the
By Commr in
Amador J. Gray
the village might
and any amount
over and above the
refunded to him
that the village was
fallow and that
was not able to get
amount of Jodi from
[Petis dated. 13-7-
3-8-79 and
22-8-79]

The By Commr
Bangalore requests
the Supt of Suano
Cancel the Suano title
deed and to remove the
name of the village from
the register of Jodi-ville
(letter no 85-7 dated 16-
The Supt of Suano
readily assented

Ms. A. 36. 1. 25

Rev. Mr. Williams
of Bangalore

Rev. Mr. Williams states
that the late Mr. Williams
T. W. was granted this
Ancestral Inheritance
to the payment of a fine
that it was assumed by
him during his minority
and prays for its restoration
to him -

Mr. Williams states
that the late Mr. Williams
T. W. was granted this
Ancestral Inheritance
to the payment of a fine
that it was assumed by
him during his minority
and prays for its restoration
to him -

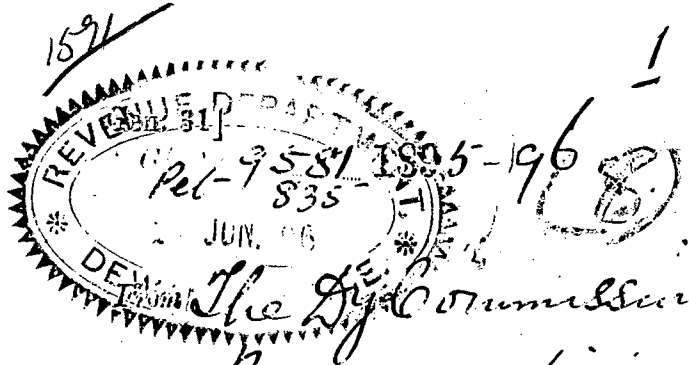
~~10854~~

Submitted with reference to the
2nd Councilor's order on the
Office-note

A.S.
25/6/96

27/6/96

This is a difficult
case. The betri &
his brother who has
agreed to be bound by
the acts of the betri
are were admittedly
sumors when the
colleje was resumed
by the Dy. Com. ap-
parently without
any reference to
Govt in the year
1880. He was liable
to pay a mortgage
debt of 300 Rs to the
Shama murti Sastri
and the Jodi fee
due thereon has
since amounted to
1143 Rs. The betri was
only entitled to half
village but the owner
of the other half viz
Dai Shama murti Sastri
allowed the default
& the consequent
resumption. He has
no right whatever



The Dy. Commissioner
Bangalore District
To The Secretary to the Govt.
of Mysore
Rev & Genl Departments.

Dated 17th
Despatched 20th } June 1896.
Received

General No.
D No. 1218.

Enclosure No. 1/81c

In reply to Govt Pro. No.
15655- dated 26th March 1895.
Pt. 1337

Subject:

Submitting further par-
ticulars regarding the
restoration to the Jodidars
of the village of Govindapura
in the Melamangala Taluk.

Petition Memo.

10/23/6/96

WV 7/3

Sub. in the refer.

25/6

Subramania Sastri . 22
 Krishna Sastri . 24
 Sons of Gummudi Sastri died 1878

This is a difficult case. The
 Petitioner and his brother who
 has agreed to be bound by
 the acts of the petitioner were
 admittedly minors when the
 village was resumed by the
 Deputy Commissioner ap-
 parently without any reference
 to Government in the year
 1880. He was liable to pay
 a mortgage debt of 500 Rs
 to Dachinamurti Sastri and
 the Jodi he due thereon has
 since amounted to Rs 1143--
 The Petitioner was only entitled
 to half village, but the owner
 of the other half viz Dachin-
 amurti Sastri allowed
 the default and the consequent
 resumption. He has no
 right whatever for the
 restoration of any part.
 But it is difficult to deal
 summarily with the petitioner
 whose age is reported to be

9

The case is a hard one for the Peta & his brother who were minors when the Village was resumed in 1880, for Areas of Revenue -

But the Village was scarcely ~~being~~ realized any Bar when it was resumed. The realizations were trifling for 2 years afterwards and it was not in 82-83 the Revenue began to improve & such improvement continued since then. This improvement was due partly to the introduction ^{of the Farmers} but may be ~~so~~ regarded as due chiefly ~~afforded~~ to the greater security of occupancy rights in a full Village. I doubt similar improvement would have resulted in the hands of the Mamdars even after a Survey & Settlement.

The prime difficulty in the way of restoration is the claims of occupants who entered upon the occupancy under the Peta & who may now justly complain if the Mamdars were reinstated -

As there is no claim for restoration as a matter of right & as Peta's claim is really a dehors claim made after for losing the Village, I regret we have no ~~option~~ ^{option} but to reject the Peta's

25/12/96 

Filed 22d pr of

(10)

Recd 26.30 Pm.

28-12-96.

4/1/97.

The resumption was
not the result of an
act in connection
with the realization
of the arrears of land
revenue. No forfeiture
was declared. By a
voluntary act Daskhi
Dasmukh Sastri who
held half the village
in his own right & the
other half as a mortgage
reigned the land -
this resignation was
accepted. It now turns
out that the heirs of the
other half were minors
and they now claim
the village -

Assuming that the
claim is not barred
I do not see how we
can get over the claim.
Daskhinamukh Sastri
who alone resigned the
land was not full owner.
Before coming to a final
decision let the following

just now ²⁰22 years. He laid
 claim to the restoration in
 1894 and the time judged
 by the principles of the Statute
 of limitation is not against
 him. A revenue of 1586-7-3^{Rs}
 is said to have been realised
 which is in excess of what
 is due on account of the
 village. The petitioner deserves
 on account of his age merciful
 consideration and the question
 is whether he is not entitled
 to the restoration he seeks
 and if so to what extent.
 There can be no doubt that
 he is entitled to one-half

(M. P. N. Krishnamurti)

15-9-96

causal

1875		
Village		
Goundapur Kela rangal		
Area	Assessment	odi
		71.7.
Realizations have been		
79.80	revenue	
80.81	1413.4.6	
81.82	3-11.6	
82.83	118.9.11	
		has Rs 123.4-

(2)
prompts be once more very carefully
ascertained by the sub com
& a further report submitted

(1). If Dashnawmunt Sastri was
not the full owner why was
the relinquishment signed by him
alone accepted and why were
not the other heirs - the present
Sons or their guardians asked?

(2). How does Dashnawmunt
Sastri justify his act? Had
he authority to act for the minors?
It is now possible he may collude
with the minors - The AG must
must try & ascertain the truth
on this point - and state his
opinion as to whether the minors
could be bound by the act of
the Dashnawmunt Sastri.

(3). For the records relating to this
relinquishment if not in
this record must be obtained

(4). It is presumed that Dashnawmunt
Sastri father of the minors was
not alive when the relinquishment
& resumption took place.

whose name
was the name
referred to
the time it
was removed
& hence a register
of names is kept
of names to which
both in the
Govt & in the
Society's
Office -

on enquiring that
it is Dashnawmunt
a register of names
has been kept
13/8/97

Call for this
information
7-8-97

Draft docket
M 7/8/97

6.8.97

8/8/97
13/8/97

und

Precis.

Petⁿ No 135 of 6. 11. '94

and others.

P. File No 13 of '89, - '98.

Petⁿ Subramanya Sastri
Claimant by ~~petition~~
Govindapura
Kelamangala
Bangalore Dist.

Subject: -

Prayer for restoration
to petⁿ of the Jodi village of
Govindapura, Kelamangala
Taluk.

Facts of the Case.

- (1) On 1.9.74 Gurusurthi
Bhatta, one of the four
Hissedars (Ramadasu, Narana
Bhatta, Gurusurthi Bhatta and
Dhaksimamurthi Sastri) and
father of the present petitioner
purchased for Rs 200 - 0 - 0
the one-fourth share belonging
to Ramadasu of the Jodi village
of Govindapura, Kelamangala
Taluk

X vide Sub. Deci. & Petⁿ No 135
attached to this office Petⁿ No 2.

Taluk in addition to his one-fourth share of the village.

(1) On 1.2.77 the Judicial Assistant Commissioner, Bangalore District in O.S. No 217 of 1876 delivered judgment in favour of Dakshinamurti Sastry for the recovery of Rs 366-0-0 with costs from Gurumurti Bhatta, who had mortgaged certain immovable property as security for the debt of Rs 300 given to him by Dakshinamurti Sastry.

x vide Pt. Preist No 22 (2).

(2) In July 1879 a demand was made by the Amildar through the Director of Public Instruction for Rs 41-14-9, arrears of revenue due by Dakshinamurti Sastry, Sub-Deputy Inspector of Schools, for the Jodi village of Govindapura, the total jodi including local and Irrigation cess having been recently raised to Rs 72-14-9, by

x vide Pt. Preist No 1/2

x vide D^t Pherist No $\frac{2}{2}$.

by the Enam authorities.
Thereupon Dakshinamurthi
Sastri in reply stated that
the village was not a
profitable concern to him,
as the village had been
deserted and was lying
waste; that one-half
Hissa of the village had
been mortgaged to him
for Rs. 400 - 0 - 0; that he
was paying the original
Jodi of Rs 31 - 0 - 0 at a
loss ~~for~~ to himself; that
he was not prepared
to pay the enhanced
Jodi amount; that the
Govt. may recover the arrears
due by the sale of the village
and pay the excess amount
recovered by the sale to him;
and that if this was not
possible the village might
be resumed to Government.
The Amildar thereupon obser-
ved that as the village was

x vide D^t Pherist No $\frac{2}{4}$.

that the Director of Public Instruction threatens him
 (18) with suspension from service if he failed to pay up the arrears; that his pet^{rs} to the Taluk and District remained unanswered; and that if the Jodi amount could not be reduced to what it originally was, the village might either be sold or resumed by Govt.: and prayed that orders might be issued to the Director of Public Instruction not to suspend him from service.

(19) On 24.10.79 the Amildar in response to an order from the Dy Commr: stated that Dakshinamurthi Sastri was a well-to-do man and evaded payment of arrears, that through his negligence the village was depopulated and recommended the resumption of the village by

Report. 12/1404 on D^t Pleist
 Nos $\frac{6}{2}$ & $\frac{6}{3}$.

by Government. The
Dy Commr: Thereupon directed
a deposition to be taken
from Dakshinamurthi
Sasthy to that effect.

x vide order No 976 on Dt 1

(17)

Accordingly on 18.11.79 Dakshina-
-murthi Sasthy gave a written
statement to the effect that
he would willingly relin-
-quish the village if the
Jodi amount could not
be reduced to what it
originally was. In December
1879 the Dy Commr: directed
the Amildar to submit the
Title Deed and to state the
amount of arrears due.

x vide Dt Pherist No 5.

x vide order No 1189 on Dt Pherist

(7) On 11.3.80 one Mudda-
-Mallayya, Patel of Mattihalli,
and one of the former ryots
of Govindapura, having
heard that the said village
was relinquished by the
Jodidar, Submitted a
petⁿ to the Dy, praying that
that village might be granted
to

x vide Dt Pherist No 7.

a Beshirak one it would not fetch a high price; that if the arrears due were not recovered by the sale of the village, it would be resumed to Govt: the arrears still due being recovered by attachment of defaulter's other property.

On 3. 8. '77 Dakshina-murthi Sastri submitted a Rajinama to the Kelaman-gala Taluk signifying his consent to the resumption to Govt: of the Jodi village in question. x vide B^d Pheriat N^o 3.

In August '79 Dakshina-murthi Sastri submitted a petⁿ to the Chief Commr: stating that one-half of the village in question belonged to him; that the other half was mort-gaged to him; that he was not prepared to pay the enhanced Jodi amount; that x vide B^d Pheriat N^o 6.

to him as Jodi on
 payment of the arrears
 due and that if this
 could not be done the
 same might be sold
 in auction. On 13.3.80
 the Amildar in submitting
 the above jett^r to the Dy
 Commr: ^xstated that
 the village once resumed
 by Govt: cannot again
 be granted as Jodi, ~~that~~
 it could only be given as
 as Govt: land on Darkhast;
 and stated that only one
 year's arrears were due
 from Dakshinamurti Sasthy
 and that steps were being
 taken to submit the
 Title-Deed asked for by
 the Dy Commr: A copy
 of the Title-Deed No 35838 was
~~it~~ on 21.3.80 submitted by
 the Amildar (N.B. This copy
 or its original is not forthcoming
 in the records). Thereupon the
 Dy

x vide Dy Commr: No. 6/5.

x vide Pherid No. 6/10.

in other places which had fallen
 to the shares of those two persons
 and documents were executed
 accordingly; that since then
 the village was in their enjoy-
 -ment; that of these Gurusur
 Bhatta did not keep his half of
 the village in his possession, but
 mortgaged it to Inspector
 Dakshinamurthi Sastri; that
 since then the whole village was
 in the latter's enjoyment; that
 the said Gurusurthi Bhatta
 died a year and a half ago,
 and his wife and two young
 boys 10 & 6 years old, having
 no means of living went to
 a village called Begur in the
 Devanahalli Tk and lived there,
 and that from the year Bhave
 when the exchange was made,
 he and the other three persons
 had no hak whatever to the
 village nor did they enjoy it.

After ascertaining from
 the Amildar that there were no
 records in the Tk ~~showing~~
 that the other Hissedars made
 over their claims to Dakshina-
 -murthi Sastri, The Dy Commr:
 requested

requested the Sup^t of Inam Settlements to have the name of the village in question struck off the register of Jodi villages and to have the title-deed appertaining thereto cancelled.

The village was accordingly resumed and the title-deed cancelled on 2-10-1880.

(10) On 31.7.81 the Amildar, observing that a Razinama had been tendered for the year 1879-'80 and that the lands in the Jodi village in question were lying completely waste,

recommended remission of ad^m Rs 72-14-9, the arrears due for the village of Govindapur for that year. The Dy Commr:

on 8.3.82 solicited sanction of the Dewan for writing off the accounts the ^{amount} ~~sum~~ above specified together with some others. Accordingly on 26.4.'82

this sanction was accorded with an observation that the sanction of Govt: was not applied for, for resumption of the village in question and the introduction

of

(21)

x vide Dt Phist No 8.

x vide Dt Phist No $\frac{8}{2}$.

x vide Dt Phist No $\frac{6}{13}$

x vide Docket No 908. Dt Phist No

x vide Pro: No $\frac{679}{40}$. Dt Phist

By Commissioner observed that there were several Missedars and directed the Amildar to submit their statements. On 21.5.180 x vide Report No 240 & 2.5.180
Et Phariat No 6/11
the Amildar submitted the following report: — x vide Report No 267, Phariat No 6/11.

(3) On enquiry about all the Missedars mentioned in the Inam Title-Deed hereto annexed it is ascertained that of the 6 persons one is Inspector Dakshinamurti Sastri who has tendered Razinama, and out of the other 5, one is at Benares, one at Angam, one at Hosakote and another Gurusamurti Bhatta is dead. Ramasastri who was present was summoned and examined.

He deposed that he and the other 5 persons mentioned in the Title-Deed were enjoying the said village till the year Bhava; that in that year the entire hak to the village was given to Inspector Dakshinamurti Sastri and Gurusamurti Bhatta and in lieu of it he and the other three got properties in

of a detailed survey of the lands; and the Dy Commr: was requested to report if the lands had been surveyed and assessed and given out to ryots for cultivation.

x vide Encl: to this office Pet: No 2.

(11) On 29.5.94 Subramanya Sastri, Son of Gummurthi Sastri submitted a Pet: to the Dy Commr: Bangalore. St: Stating that as he was a minor at the time of his father's death, the village of Govindapura was resumed by Govt: and prayed that the said village might be restored to him.

x vide Encl: No 267 on the above.

The Dy Commr: on 8.8.94 granted an Encl: to the effect that he declines to interfere as the village was resumed by Govt: through resignation.

x vide Pet: No 1136 this office Pet: No 1.

(12) On 6.11.94 Subramanya Sastri appeared to Govt: against the above order stating that Govindapura was granted to his ancestors as jodi; that his father, Gummurthi Sastri, was to whose name the patta of the village was subsequently

subsequently transferred,
was in the enjoyment of
the village till the time of
his death which took place
14 years back when the petitioner
was a minor; that as there
were none to look after the
village it was resumed by
Govt. about 10 years back;
that having thus been deprived
of the only source of maintenance
the petitioner & his family had since
then been living in Bangalore
on alms; that he is at a
loss to know who resigned
the village; that his father
was Hakdar and half-Hiscedar
of the village; ~~and~~ that he
is unaware of what transpired
during his minority and
that he would ^{now} bind himself
to pay the full Jodi of the
village and prayed that
the village might be restored
to him. Thereupon on 19-12-94
a report into records was
called for from the Dy Commr; x vide Pet. 125 this office Petition No 3.
who on 19-1-95 only submitted the x vide Docket No 845; this office Petition No 4.
records stating that the village in
question

Question was resumed by Capt. as one Dakshinamurthi Sastri, a Jodidar resigned it in 1872, and that the arrears standing thereon were remitted by Capt.

(B) Thereupon the Capt. directed that a proper enquiry should be held by the Dy. Commr. to elicit among others the following points:-

1. Does the pelt alone represent in his own right the full title to the half mortgaged share or is there any other? If there is what has he to say and does he want to have the village restored? What are the ages of these representatives?
2. What is the date of mortgage and the money which has to be paid under it?
3. Why did not Dakshinamurthi Sastri bring to notice the fact of mortgage and what has he to say to the claim now set up by the pelt?
4. What will be the amount of the full liability of the Pelt in the event of his claim being recognized including that arising from the mortgage debt and the dues, which but for redemption, the govt would have received.

X Side No: 13 $\frac{15555}{26} \times \frac{2}{26} = 6.95$
 Lt 1337
 this fine paid Rs 5
 & 8th March 1917.

(26)

the pet^e; that as Dakshinamurthi Sastri, ~~was~~ ^{could} not ~~be~~ found, it was not possible to get the information required; that ~~is~~ from Dakshinamurthi Sastri Razinama and other pet^{es} in the records it was ascertained that the money due under the mortgage was Rs 400; that the jodi (including cess) due on the village till the end of the year '94-'95 amounted to Rs 1143-0-0 thus bringing up the amount of the full liability of the pet^e to Rs 1543-0-0; that the revenue credited to Govt. till the end of the year '94-'95 amounted to Rs 1586-7-3,

(16) Having ascertained that Dakshinamurthi Sastri was serving as an Assistant Pandit in the Oriental Library at Mysore, the 1st Gen^l Asst Commr: Bangalore Dt issued ~~a~~ ^x summonses directing him to present himself in his Court for enquiry. In reply to the above Dakshinamurthi Sastri

Statement Dt Pherist No 20.

Dt Pherist. No 22 27/14.11.95
Dt Pherist. No 22/1

on 15.3.96 submitted a State-^x vide D^t Pherist No $\frac{22}{8}$.
-ment to the 1st Gen^l Asst Commr:
to the effect that the deceased,
Gurumurthi Bhatta and he
were the two Hissedars of the
village in question; that the
former mortgaged with possession
to him his one-half Hisee of
the village for Rs 300-0-0; that
the jodi of the village then was
Rs 31 $\frac{1}{2}$; that in the year 1876 a
great famine depopulated the
village and in consequence the
lands were lying fallow;
that as the jodi was enhanced
and as he was threatened with
suspension from ^{Govt} service for
non-payment of the enhanced
jodi, he had to resign the
village on condition of repaying
him the mortgage amount;
that as the conditions of his
resignation were not fulfilled,
the resignation is null + void;
that the mortgage amount should
be paid to him before anything
could be done; that if the
village is to be restored, the
same may be given to his charge
as it was in his possession when
it was resumed, in addition
to

5. The revenue credited to Govt since the date of resumption.

The Dy Commr: then ordered the Amildar to do the needful.

(14) On 18.4.95 Subramanya Sastri, pet^r, deposed before the Amildar to the effect that he was 18 years of age; that the former Hissedars of the village were (1) Inspector Dakshinamurthi Sastri, (2) Gurusamurthi Shetty, pet^r's father, and 5 others; that subsequently the last 5 persons transferred their rights in favour of the 1st two, by sale, exchange &c; that consequently he was half Hissedar of the village; that he knew nothing about his Hissedarship having been mortgaged to Dakshinamurthi Sastri; that as the latter person ~~by~~ resigned his right and title to the village, the right to the village in question vested solely in the pet^r; that he would pay any arrears that might be due if the village were restored to him.

(15) On 2.8.95 the Amildar the above deposition with submitted a report stating that there were no other claimants but

x vide 8th Phaset No 18.

(2)

x vide Report No 38 8th Phaset No 21.

the

to the payment of the amount realized over & above the Jodi due; and that he would bind himself to pay the Jodi amount in future.

X vide St. Priest's No. $\frac{22}{10}$.

(17) On 7-4-75 Dattashina-murthi sadya deposed before the Jnd. Asst Commr. to the effect that the one half ~~share~~ belonging to Gurumurthi Batta was mortgaged to him for Rs 300 on 7-1-75; that on 1-2-77 he obtained a decree for this amount in the Court of the Jnd. Asst Commr. that he had mentioned this fact in his application to the Chief Commr. dated August 1877; that the papers connected with the mortgage were filed in OS No. $\frac{217}{1876}$ on the file of the Jnd. Asst Commr. and repeated what was mentioned in the above Statement.

X vide St. Priest's No. $\frac{22}{12}$

(18) On the same day, he also deposed to the effect that his elder brother Krishna Sadya and he are the only sons of his father; that they belong to

to an undivided family; that the age of his brother was 30 years; that as his brother had gone on a pilgrimage to Benares he submitted a petⁿ for the restoration of the village; that he knew nothing about his father's Hisee having been mortgaged; that the decrees alleged to have been obtained might be said to have been barred by the Law of Limitation; that Dakshinamurthi ^{Sastri} had forfeited his right by resignation and that consequently the ^{whole} village should be restored to him only.

(19) On 25.4.196 Krishna Sastri, Elder brother of petⁿ, deposed to the effect that he was 22 years of age ~~and~~ that as he was not in town his younger brother had to do all that was needful for the restoration of the village and that there were no other claimants and also signified his consent to all that his brother did

1 (3)

x vide D.T. Phirost No $\frac{22}{13}$.

(4)

x N^o 1218 this office Pharisat N^o 8.

x vide Docket N^o 671. B^t Pharisat N^o 23.

x vide copy of the order ^{9/15.9.96} attached
to this office note of 6-2-96.
or this Wm Council N^o 8 (1/2 M)

x vide order on the above.

x vide Pet^r N^o 3273 21-7-96, 11-9-96, 10-96
1424 of 8-11-96 &c.

x vide Docket N^o 1805
P.F. N^o 13-97, this office Pharisat
N^o 9.

did on his behalf.

(20) On 7.5.96 the
By Commr: in his letter
stated the facts contained
in the Amildar's Report
N^o 38 of 2-8-95 and the above
depositions and that the
ages of the brothers as reported
by the Genl Asst Commr:
were 22 & 20 respectively.

(21) Thereupon the 2nd Councillor
observed that Dakshinamurthi
Sistry had no right for the
restoration of any part and
that there could be no doubt
that the pet^r was ~~not~~ entitled
to one half of the village.

(22) The whole correspondence
was then submitted to the
Dewan, who on 28.12.96 stated
that the pet^r had to be rejected
as there was no claim for
restoration as a matter of right
and as the petitioner's claim
was really against Dakshina-
murthi Sistry for losing the
village.

Meanwhile pet^r submitted
several reminder petitions.

(23) On 14.8.97 under orders
from the 2nd Councillor, the By-
Commr: was again directed
to

in the names of (1) Subbaraya Sastri (2) Narayana Bhatta (3) Dakshinamurti Sastri (4) Ramasastri (5) Gurumurthi Bhatta; that all the others had transferred their right to him and Gurumurthi Sastri; that the present pet^r & he are cousins; that ~~xx~~ before the relinquishment they were divided and lived separately; that after he obtained a decree in his favour, Gurumurthi Sastri at the time of his death in '78 asked him to take possession of his (Gurumurthi Sastri) share of the village also that accordingly he was in possession and enjoyment of the whole village; that he had no authority to relinquish the village for the minors, but that he informed pet^r's mother of the relinquishment, at the time when he took the Dile-Deed from her for submission to Govt; that the ~~xx~~ order of 1-12-78 clearly showed that he was entitled to the whole village

unauthenticated copy
to the deposition.

village; ~~that~~ in case the village is to be restored, his half share should be restored to him in addition to payment of mortgage debt &c.

(33)

(V) On 7. 10. 1977 the Dy Commissioner submitted the records with a report stating that the Inam was reported to have been registered in the names of individuals; that the relinquishment signed by Dakshinamurthi Sastri alone was accepted as all of them but one had transferred their shares to him and that other (Gurumurthi ^{Bhatta} ~~Sastri~~) and that

x vide Letter D. No 453 of 7. 10. 1977

subsequently this latter had mortgaged his share to Dakshinamurthi Sastri; that the Amildar ^{having been} ~~asked~~ asked to ascertain the views of the Hissedars in his Report No 267 of 21. 5. 1880 stated that the mortgagor Gurumurthi Bhatta was dead and the other sharers lived in Mysore, Hoskote and Benares and could not be examined; that the relinquisher admits that he had no authority to

x vide Dt Pherist No 6/11.

to submit a further report on the following points:—

(1) In whose name was the Enam registered at the time it was resumed?

(2) If Dakshinamurthi Sastri was not the full owner, why was the relinquishment signed by him alone accepted and why were not the other heirs - the present judges or their guardians asked?

(3) How does Dakshinamurthi Sastri justify his act? Had he authority to act for the minors? Could the minor minors be bound by the act of Dakshinamurthi Sastri.

(4) All the records relating to the relinquishment must be sent up.

(5) It is presumed that Gurusamudra Sastri, father of the minors, was not alive when the relinquishment and resumption took place.

(14) On 11.9.97 Dakshinamurthi Sastri deposed before the 3rd J. J. ^x vide deposition in the ^{Ver} file, last but two papers before Bangalore St, to the effect that at the time of relinquishment he did not mention the fact of the existence of other Hissedar, as he thought that the same was unnecessary, but that however he had mentioned the fact in his application to the Chief Commissioner dated August 1879; that at the time of resumption the Enam had been registered in

to act on behalf of the minors;
that Gurusurthi Bhatta's
widow admitted having
given the title deed to the
relinquisher but did not
admit knowledge of relinquish-
ment; that the petitioner
could not be bound by the
act of the relinquisher;
that the pet^r & relinquisher
did not seem to collude,
but on second thoughts seek
for cancellation of relinquish-
ment and that the pet^r's
father was not alive when
the village was relinquished.

CER
8/11/97.

The ages of the pet^r & his
brother do not seem to have
been definitely ascertained

In report- No 2678 21/5/80
the amlan reported
that Gurusurthi Bhatta
died in 1878 leaving two
sons aged 10 & 6 years old.
Taking this as correct,

(27) The finding now sent up by the J. comm^r is unsatisfactory.

(36) He simply states that according to the ^{deposition} of the pet^r & his ^{elder} brother, they were 18 & 22 years of age respectively when the claim was first advanced.

(38) The J. comm^r has not taken the explanation of the pet^r for the numerous discrepancies in respect ^{to age} pointed out in this file docket. The pet^r & his brother have not been able to produce their horoscopes & their present statements are said to be founded on what they have ^{been} informed by their mother & uncle. In that case there is no reason why they should have given their ages differently at different times - not account

for by mere lapse of time

According to the present finding
of the Court the claim of the
elder brother is barred while
that of the pet (Subramania Sastri) 37
is not.

29) As the Court ^{in 1886} set aside the release
for reasons of revenue & bought
it on behalf of Govt for want
of bidders instead of resuming
the village on the so-called relinquishment
of Dakshinamurti Sastri,
the present claim would have
been summarily rejected.

= But in view of the fact that pet's
age was given out to be 18 years on 18/4/95

(2) * 20 years on 17/4/96

that the pet has now deposed
that he was born in 1875,
his ~~testimony~~ mere statements
uncorroborated by horoscopes &c
seems untrustworthy.

13/4/98.

* Pet's ~~name~~ should
be in 1877

* Pet's ~~name~~ have been
in 1876.

pet^r & his brother would
have been 22 & 26 in
1894

= In his dep^r of 18/4/95 pet^r
gave his age as 18 years.

and again in his dep^r of
17/4/96 pet^r saw ^{that} he was
20 years old & that his
brother was 30 years old.

In 25/4/96 pet^r's brother
stated that he was
22 years old.

= Finally, the pt ant^r (Coun^r)
gave the ages of pet^r &
his brother to be 20 & 22 years
respectively. But the
discrepancies in the several
statements do not seem
to have been noticed by
him.

14

13/12/96

+ It might perhaps
be said that the figures
(20) are correct &
not K are correct figures
but in that case pet^r
& his brother would
be ~~about~~ the same age
viz 20 years. Query
are they twins?

Call the D^r court's
attention to the various
discrepancies which
appear regarding the
age of the Pet^r &
ask him to look
Gardiner & find
the question of the
forensic age of the
Pet^r when they
first used this
claim.

16-12-97
15/12/97
17/12/97

of happening
to C^r E.D.

16/9/98

2550

* 1st draft
The draft
no. 10. 1. 1. 1.
concerning
the same
may be sent
it must be
the same

not to be sent
that the draft
be sent to
the same

15. 6. 9. 9. 9.
16/9/98

(34)

The 2nd draft and view
of the Decree another.
It is not a case of
two cancellor differ-
ing & making a reference
to the Decree.

Refuse the matter
could be finally
settled. There was
a change in the
circumstances of the
Council - The member
now in charge &
the Decree was after
the meeting that the
He has no case.

Is any further
action necessary
under the Decree?

Sub. Humber

10-9-98

The Rev C^r E.D. desired that
the draft may be sent to
him before 4th; otherwise

so the draft requires
approval before
Please resubmit
14. 9. 98

The order would have been issued
by the Secretariat.

I venture to think that
under the Rules no further
action ~~is~~ is necessary
to quote an example: Mr Ghentral
Rao considered ^{in 1894} the present rule
of conversion in the case of
minor names to require
revision & called for reports
from Districts. These reports
were received in 1895-97
& were filed in 1898 under
the orders of the 2nd Council
who considered that the
matter could not be
disposed of. (This matter was
but the files are with me in
connection with some Khalsal
files)

10/9/98

P.S. I have assumed that the
proposed order does not lay down
any general principle. The case in
question is a peculiar ~~one~~ arising out
of the abnormal conditions at the famine
of Dhulia & Eranga

(40)

Copy of the remarks of the Rev C^r
E D^r on the Glenn's
letter 8/4/98

"The Secretary is requested to
furnish with information
as to why effect was not given
to Dewan's order of 28/12/96
& whether it is open to the
Council to keep the question
alive after such final order
by the Dewan"

Received today from
the Secy at clerk to the
Rev Com after Eastern 83

The Rev C^r ^{E.D.} said ~~that~~
It is me on 24/5/98
that he agreed to the
Dewan's order.

That order may now
be issued

26/5/98

~~Dft Secy - put up~~

~~28/5/98~~
Dft Secy - put up
subd

3/6/98

I afterwards received information
that the draft shd be subd
for approval

3/6/98

Sub^d Sec^y

off-cc - mli

on 6/11/94, one Subramaniam Sathu
petitioned S^o for the restoration
of Govindapur village, Melanur
taluk, resumed by S^o in 1880
for arrears of Govt. Necessary
information relating to the petⁿ
having been supplied in the
D Comm's reports of 19/1/95 &
17/6/96, the 2nd Comm^r then
recorded a mli on 15/9/96
expressing his opinion that
the petⁿ was entitled
to $\frac{1}{2}$ the village.

(2). This mli was sub^d to Dewan
in accordance with the 2nd
Comm^r's desire. On 28/12/96,
the Dewan recorded his view
that, there was no claim
for restoration as a matter
of right and that the petⁿ
should be rejected.

The 2nd Committee to whom the
above was sub^d, called for further
information (before final report)
on 6/8/97

When this further information
~~was~~ received from the D^{com},
it was pointed out - in the office
pieces that the age of the petr
- on which the claim as a
matter of right was based -
was not definitely ascertained
and that there were discrepancies
in regard to it in the Records.

Under the order of the 2nd
Committee of 15/12/97, explanation
was called for on this point.

(3) When the D^{com}'s expla-
natory report was received,
the papers were sub^d to Res
C & D^{com} on 13/4/98.

Who after discussing the matter
orally with me on 24/5/98
said that he agreed to the
D^{com}'s order. Subsequently
I received information that

the draft sh^d be sent to
him for approval. This
was done; & the draft order
was returned for subⁿ to
1st Com^r in Sept^r 1898
owing to the redistribution
of the ^{Portfolio} ~~Department~~

The 1st Com^r to whom
the draft was sub^d saw that
it might be used by the
Secretary without reference
to him. The Secretary said that
as the Rev C^r & D^r desired
to see the draft before using
it sh^d be resub^d to him.

This was done on 16/9/98.

The draft was returned on
15/3/99 with a note from
the Rev C^r & D^r elucidating
a doubtful point in the
draft.

(4) The question is whether
the order may be used

presented for submission with
 Main Draft or a certified
 list

Gen. Serial No. 32.]

1894

3

(11)

L.R. 85.9401

No. 1136

Name of Petitioner. Subramanyam Sastri

Village. Shivanth - Samskrit

Taluk. College

District. Bangalore

Date of Arzi. 6-11-94

Date of Receipt. 7-11-94

Date of Disposal.

No. of Enclosures. One. unauthenticated copy of doc.

presented to Council
 Stamp sufficient
 one day out of time, if
 registration is completed
 from date of arzi.
 but it is not known
 on what date it
 reached R.R.

ABSTRACT.

States that forindapur in Belavangal Taluk
 had been granted to his ancestors as Jagdi - that
 his ancestors had been enjoying it - that
 subsequently the Jagdi was transferred to
 his father for service to Sastri's name - that
 he was living in the village which was in his
 enjoyment - that his father died 16 years ago
 when the petitioner was a minor - that as there
 were none to look after the village it was taken
 under Government management 10 years ago
 - that since then his family has remained
 deprived of the source of maintenance they live
 in Bangalore on alms - that he submitted
 for 8 petitions and personally represented to the
 Government who granted him an endorsement to the
 effect that as the village was taken up by Govt
 through the Zamindar he would not interfere
 in the matter - that he is at a loss to know

Case for ~~Report~~ report
 & P.M. ~~16/11/94~~
16/11/94

18/11/94

was ~~freed~~ the village - that his father was
half-brother to the village & that
he does not know what transpired during his
minority - Prays that on perusal of the Amil's
report to the Dy. Commr. and other records the
village may be ordered to be released and
restored to him -

(116)

Further states that he would search and
produce any documents relating to the matter
that may be forthcoming and would bind
himself to pay full ~~good~~ of the village even
now.

14.

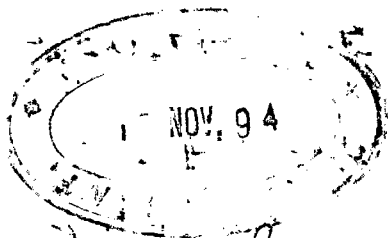
Order appealed against

As it is noted in
Govt. through recognition,
we decline to interfere.

Aug 28
Sep 30
Oct 31
97

31082-22

1136.



Handwritten text in German script, likely a recipient address or a note.

Handwritten text in German script, consisting of several lines of cursive handwriting.

„Bijonder“
Hauptstadt
Für die Provinz

Handwritten signature or initials, possibly reading „V. 94“.

Pet
1020

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

(3)

The accompanying Petition No. 11364-1497
dated 6-8-26 ^{received} received at the
Dewan's Office from *Subramania*
Chettiar, Bangalore, praying
for restoration of *land*
the *possession* of *land*
- *pur*, *Kellamangala* *Salah*
recused *of* *land*, *about* *100*
acres *years* *ago* -
is forwarded, together with *Two*
enclosures, to the *Dy. Commr.*

Bangalore *for*
Submission of the *entire*
proceedings & *consider*
with the case together with
a report *of* the facts of
case and on the *points*
urged in the petition

2. The petition with the
enclosures should be
returned

By Order,

BANGALORE,
19-12-1894
22

For Chief Secretary.

M.G.C.P. Bangalore. - 3-5-94. - 1,000.

enclosures

20.85-94-3

Bot. March

25/1/95

Submitted
25/1/95
all

Gen. Serial No. 31.]

7382
1894.95
Per 420

From

the Commissioner
Bangalore District

To

Chief
The Secretary to the
Diocese of Mysore.

Dated 19th January/95.

Despatched

Received

Enclosures—No. 1

General No.

No. 845.

His No. 1020
the 16th ~~Disputes~~ ^{Disputes} for-
warding for report a
petition from of
Subramania Sastri
Bangalore, praying
for the restoration
to him of the Jodi
Village of Govindapur,
Nelamangala Taluk.

In returning the
enclosures of the above
has the honor to for-
ward the entire
record of the case
and to state that—

Submitted to Council
25/1/95

The Govt. of

(5)

from registered
dated 6 Nov:
from Subramania
Bangalore,
ing for the restoration
of the Jodi village
indapur, Kela-
gala Taluk,
ned in 1880.

(55)

LP 85-94-5-

skt No. 845 dated
May 1895 from
Commr. Bangalore
ing on the same &
thing the entire
is connected &
the case.

Thereon No. 15655-
Pt. 1337 21-3-95
26.

papers received
the Dy. Commr.
be sent back to
with a request
he will hold
per Enquiry which
be directed
it among others
following points.
Does the petitioner
represent in his
right the full
title.

²
one, Dakshina Pruvate
Sastri a Godidar
having in 1879 resign-
ed the Village, being
unable to bear the
enhanced Jodi, it was
resumed to govern-
ment in October 1890.
Vide this Office No.
857 dated 16th September
1890 to the Superintend-
ent of Inams and his
reply No. 295 dated
21st October 1890 filed
in the record, and
the arrears standing
on the Village were
permitted in govern-
ment Proceedings
No. 679 dated 26th
⁴⁰
April 1892.

1880

1880

A. K. Sastri
for the Government.
M

the half mortgaged
share is now new share

If there is, what has
he done and does he want
to have the package restored?
What are the ages of these
representatives?

2. What is the date of mortgage and the money which has to be paid and if

3. Why did not Mr. McKim
Mr. Foster bring to
notice the fact of Mr. McKim
and what has he been
to the claim now set up
by the petitioners.

4. What will be amount of the full liability of the Petitioner in the event of his claim being recognized including that arising from the mortgage debt and the dues which but for redemption the Govt. would have received.

5. The revenue credited to Govt. since the date of resumption. It is the duty of the

The result of the inquiry
 together with the Proceedings will be
 drafted. Submitted at an early date.
 4/22/33

Ref: 22/3. Chief Secy.

1895-96..
Pct. 9581. 16
835

From, The Deputy Commissioner,
Bangalore District.

To, The Secretary to the
Govt. of Mysore,
Rev. and General Depts.

Dated — 17th.

Despatched — 20th June 1896.

Received. —

General no.

D. no. — 1218.

Enclosure No. 1 file.

In reply to Govt. Pro. no.

15655 dated 26th March 1896

Pct. 1337.

Subject.

Submitting further particulars
regarding the restoration
to the Jodidars of the village
of Govindapura in the
Nelamangala Taluk

285-94-7

(58)

Pet. 835

17

D. 1218.
Enc 1 file

Deputy Commissioner, P. Sec.
Bangalore District
11th June 1906
20th

To

The Secretary to the
Government of Mysore
Revenue & General Department

Sir,

Referring to Government Proceedings
No. 15555 dated the 20th March 1905, captioned
Pet. 557
for further particulars regarding the restoration
to the holders of the village of Gopindegur
in the Srirangapatna Taluk, I have the
honour to reply to the queries therein contained
as follows:—

(1) The petitioners Subramaniaswami and
his brother Krishnaswami are the
joint claimants to the mortgaged share
of the village. Krishnaswami has in his
statement before the General Assistant
Commissioner admitted that he will abide
by his brother Subramaniaswami's action
in the matter.

(2) The ages of Krishnaswami and
Subramaniaswami are reported to the
General Assistant Commissioner to be 22 and
20 respectively.

Enclosed in the enclosed file

respectively:

(3) The mortgage deed making over the petitioner's share of the village to Dakshinamurti Sastri is said to be in the record of original suit No. 215 on the file of the Judicial Assistant Commissioner Bangalore, but in reference to the copy of the document filed by the mortgagee and his deposition, the date of mortgage appears to be 17 January 1875 and the sum borrowed under it is Rs. 300. (Vide the 1st General Assistant Commissioner's docket No. 17 of the 1st Division, filed with other records.)

(4) In his petition to the High Court of Mysore in August 1879 (vide No. 1 in the file) Dakshinamurti Sastri mentioned the fact of the mortgage to him. He now says that as he is the proprietor of one half of the village and mortgage of the other half, the village, if restored, may be made over to him as it was in his possession when it was taken by Government.

(5) The full liabilities of the petitioner as up to the end of 1874, 75 including the mortgage debt amounts to Rs. 748 and the dues of Government amount to Rs. 1145, inclusive

Draft for approval
20

1897

From

The ~~Chief~~ Secretary to the ^{Govt} ~~Deputy~~ of Mysore

To

General ~~Commissioner~~ ^{Dept 5}

The Deputy Commissioner
Bangalore District

Dated

14th August 1897

Despatched

Received

Enclosures No. *None*

General No. 1805

P.F. No. 13-97

(252)

His letter No. 1218 dated
17th June 1895 giving full
particulars regarding the
restoration to the Jodidar
of the village of *Corindam*
in the *Velamangala Taluk*

Has the honor to request
that he may be good
enough to ascertain very
carefully the following
hints as to be put
a further be of note
(1) act of Daks
sastri-

2. The man registered at the time it was resumed?

a query has been put by the
Commissioner about the same matter

(2) If Dakshinamurti Sastri was not the full owner, why was the relinquishment signed by him alone accepted, and why were not the other heirs - the present petitioners or their guardians asked?

(3) How does Dakshinamurti Sastri justify his act? Had he authority to act for the minors? It is now possible he may collude with the minors - He by some must try and ascertain the truth on this point and state his opinion as to whether the minors could stand by the report of Chinnamurti whose name was not given

- (4) All the records relating to the relinquishment if not in the record must be ^{sent up} ~~sent up~~ ^{affixed} ~~affixed~~.
- (5) It is presumed that Guernanti Sastri-fath of the minor was ~~was~~ alive when the relinquishment and reassignment took place.

The records received with the above are herewith returned for reference and resubmission.

By order


'Sfr'

C₂

For Secy
 —

WM
 13/5/97

LD 85. 94-9
 I don't say Byata Neo has returned
 but the Inam Dept. to put up

Rev. Branch
 6/11/97

Please see the Crest Leaf
 over blank part of the map

Peter Branch

The final quit-receipts for
 the Melamangala Taluk is
 put up, which may be kindly
 returned when no longer
 required.

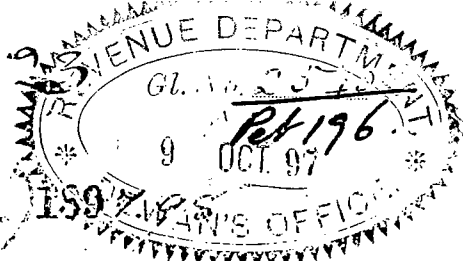
Submitted
 10/11/97
 Returned to
 Rev. Branch 5/11/98

one of the most important
 documents is that of the
 reports of the annual, & the
 Court are not immediate either
 with me another 2 with the Department
 - For a piece (early)

My 17/11/97
 10-11-97
 30/11/97
 30/11/97

Put to the Council
 13/12/97

Dec. 31]



From
 The Commissioner
 of the Bangalore District

To
 The Secretary to the
 Govt of Mysore
 Rev. Dept.

Dated

Despatched

Received

General No.

No. 453

Enclosure No. one file

Submitting a further
 report regarding the
 restoration to the
 landlords of the village
 of Govindapur in
 the Melamangala Taluk

Rev
 9.10.97

Rev. Branch

File relating to the subject
 is put up.

12/10/97

The superior of Inam is constituted by
 the Govt. of Mysore, in the Rev. Dept. which
 is the same office. 12-10-97

44
D No 453
En. Mepl

24
Bangalore District
Commissioner's Office
Bangalore, 4th October/97

To,

The Secretary to the
Government of Mysore;
Rev. & Genl Departments.

Sir,

With reference to your letter No
1805
P.7.13-97 of the 1st August 1897, and
your reminder No Peta of the 11th &
7.13-97 September 1897, calling for some fur-
ther particulars in the matter of the
restoration to the holders of the godi
village of Govindapur in the
Chelamangala Taluk, I beg to submit
as follows:—

2. The Inam is reported to have
been registered in the names of (a)
Subraya Sastri (b) Karayana Chatta
(c) Daksharia. murti Sastri, (d) —
Rama Sastri, (e) Gurnamurti Chatta
(father of the petitioner Subramanya
Sastri) and (f) Takolamamurti Sastri
at the time of its relinquishment
and resumption.

3. The relinquishment signed by
only

only one of the said persons (viz. ^{Da} Dakshana murti sastri) was accepted as all of them but one had transferred their shares to him and Gurnamurti bhatta the father of the petitioner, and as the latter had mortgaged his half share to him (viz. Dakshana murti sastri). This fact has been mentioned in his (Dakshana murti sastri's) petition of August 1879, to the Chief Commissioner. — When Dakshana murti sastri presented his ^{petition of} relinquishment, the then Deputy Commissioner requested the amildar to ascertain the views of the hissedars (Vide order no. 140 dated the 12th May 1880); and the latter examined one of them viz. Ramabastri and reported that as the said mortgagor Gurnamurti bhatta was dead and the other sharers lived in Mysore, Hoskote, and Benares, they could not be examined (Vide Report no. 267 of the 21st May 1880). Ramabastri (who was examined on the 20th May 1880) stated that the said mortgagor Gurnamurti bhatta had died about $1\frac{1}{2}$ years previously, leaving behind him a widow and

²⁶
2 minor sons. They were not examined by the Amildar, nor was any order directing their examination issued. (63)

4. The relinquisher Dakshana-murti Sastri admits that he had no authority to act on behalf of the petitioners; but adds that when taking from the said mortgagor Gurnu-murti Bhatta's widow, the Inam title-deed for submission to Government he told her of the relinquishment. The widow admits having given the document to him (vide her deposition) before the Sheikdar of Jala Hobli Devanahalli Taluk, on the 12th March 1880) but does not admit knowledge of relinquishment. As the relinquisher and the petitioner were divided and lived separately and as there is no record to shew that the mother of the petitioner had any knowledge of what was being done by the relinquisher, it is apparent that the petitioner cannot be bound by the act of the relinquisher. The relinquisher is

189

(13)

From

The Secretary to Govt.
Genl. and Rev. Dept.

To

The Deputy Commissioner
Bangalore Dist.Dated 18thDespatched 18th

Received

General No. 5385

P. No. 74813-97

Enclosure No.

The Dy. Commr's letter No. 453 dated 7-10-97, submitting a further report on the petition of Subramanya Dasie of Govi-dapura village in the Melamangala Taluk, praying for restoration to him of the above Jodi village.

In returning the record received with the above for reference and resubmission, has the honor to invite the attention of the Dy. Commr. to the discrepancies which appear from the records regarding the age of the petitioner and his brother, which are as follows:-

- (1) In report No. 267 dated

21-12-1897

LR 85-94-10

21-5-1880 the Amildar has reported that Gurnumoorthe Bhatta died in 1878 leaving two sons aged 10 and 6 years old. If this be correct, Petu and his brother would be 22 and 26 years old in 1894.

(20)

(2) In his deposition of 18.4.95 Petu gave his age as 18 years and again in that of 17.4.96 Petu said ~~that~~ he was 20 years old and his brother 30 which might perhaps he said to be so also, if the figures are said to be written in English, in which case, the question whether the Petu and his brother are twins drops up. Again in the deposition of 25.4.96 Petu's brother stated that he was 22 years old.

(3) The first Asst Commr in his docket no 671 of 11.5.96 to the Dy Commr gave ~~the age of them~~ ^{their age} to be 20 and 22 years respectively -

The Dy Commr is therefore requested to be so good as to take evidence himself regarding the age and submit his finding on the precise age of the Petu and his brother when they first urged this claim.

By order

17/12/97

for Secretary

is a pandit in the Oriental Library at Mysore, and the petitioner S. Subramanya Sastri, is employed at Bangalore as a teacher in the girls school in Atripet. The latter prays for the entire village on the ground that the former lost his title to it by his relinquishment. In his turn the relinquisher asks for the restoration of his share to him and offers to pay the mortgage money and all the arrears of jody. Thus it seems that they are not colluding; but it is clear that on second thoughts, cancellation of relinquishment is sought.

5. The record referring to the relinquishment is with the record of the case herewith, re-submitted.

6. What has been stated in para^{3x} 4 shews that the petitioner's father was not alive when the village was relinquished.

I have the honor to be,

Sir,

Your most Obedient Servant;

Govindarayan

Commissioner

9th Dec 98

5-4-98 (B. 25)

DE 13997 relating to the
Subject as per up

AK
5/4/98

subd

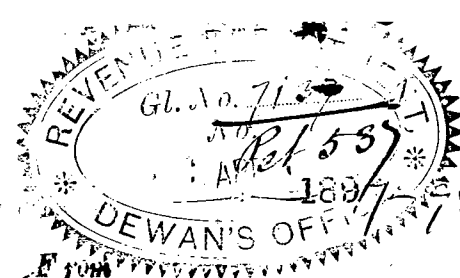
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mf
6/4/98

Subd to Rev Councilor
Enthorn Benson

with pres. int.

12/4/98



36

The Dy. Commissioner, of the
Bangalore District.

To The Secretary to the
Govt of Mysore
Genl & Rev Department.

Dated 1st April 1898.

Despatched

Received

General No.

No. 1287.

Enclosure No. 1/ple

Specs docket no 5385-

Pet: 7/13-97

of the 18th December 1897.

Submits further in-
formation regarding the
restoration to the Jodidar
of the village of Gornidapur
in the Belandur Taluk.

Petition

2/4/98.

Remarks of the Rev. Councilor, S. D.

"Mr. Theagaraja Iyer will

please see me with these
papers between 4 + 6 P. M.
tomorrow evening. He will
also bring a Kanarese
knowing clerk with him.

23.5.98.

The Secretary is requested to
favor the ^{me} Rev. Councilor with information
as to why effect was not
given to Decree order 828.12.91
and whether it is open to the
Councilor to keep the question alive
after such final order by the
Dewan's

23.5.98

vide order of
the Dewan

31
D No 1287.
2/2 Encl 1/6

Bangalore District
Dy. Commissioner's Office
Bangalore. 17th April 1898.

The Secretary to the
Government of Mysore
Revenue and General Departments.
Bangalore

Sir,

With reference to your letter
No 5385 of the 5th December 1897,
requesting correct information re-
garding the age of Subramanya Sastri
and his elder brother, Krishna Sastri,
sons of the late Government Quanta of
the Gorinapur village in the Melam-
sala Taluk, I have the honor to state
that they have both deposed that they
were born respectively on the 15th June 1875
and 15th February 1872. Thus they were, at
the time they advanced their claim, viz
on the 15th November 1897, 18 and 22 years
of age, respectively.

2. The entire record of the case is herewith
resubmitted together with the additional
evidence now taken.

I have the honor to be

Sir

Your most obedient servant

H. Parameswara

Mus

fr

Dy. Commissioner,
Bangalore District,

812

Proceeding of the Court of Mysore

Read: -

Petition No. 1130, dated
6 November 1894 from
Subramanya Sastri of Beina
village, Daanahalli Taluk
praying for an restoration
to him of Jodi Gowdhar
village in the Nelamangala
Taluk resumed for arrears
of revenue in the year 1888.

2. Correspondence ending
with letter No. 1287 dated
1st April 1895 from the
Dy Commissioner, Bangalore
District, reporting on the above
and submitting the records
of the case. P

Order thereon. 4894
18-12-97 1-5-99

The case is a hard one
for the petitioner and his

LP 85-94 13

Survey and settlement.

(75) The prime difficulty in the way of restoration is the claims of occupants who entered upon the occupancy under the Govt, and who may now justly complain if the standards were re-instated.

(2) Gurnurthi Sastri father of petitioner had mortgaged his half share with possession to Dakshi nurthi Sastri. The latter was enjoying the whole village and was paying the full jodi on it. He put himself forward as the sole owner of the village. Under these circumstances Govt do not see that any other course than accepting his resignation ^{of the village} was open to them. As there is ^{there} no claim for restoration as a matter of right and as petitioner's



For Secretary

The Dy Commr Bangalore
Dist. with ⁺ records.

Devan & Rev C. E. D.

[illegible]

17/3/99

brother ~~who~~ were minors
when the village was
resumed in 1880 for
arrears of revenue. But
The village was scarcely
realizing any revenue
when it was ^{this} resumed.
The realizations were
trifling for two years
afterwards and it was
only in 1882-83 that the
revenue began to improve,
and such improvement
was due partly to the
introduction of the survey,
but may be regarded
as due chiefly to the
greater security of oc-
cupancy rights in a
Govt village. It is doubt-
ful that similar im-
provement would have re-
sulted in the hands of
the mandars even after a

By order

1942

11 27 1944

For Lucy

111-1813/99.